

REMARKS

Claims 1-16 are pending and have been examined. Claims 1, 2, and 8-15 have been allowed. The indication of the allowance of Claims 1, 2, and 8-15 is noted with appreciation. Claims 3-7 and 16 have been rejected. Claims 3 and 5 have been amended. Claim 16 has been canceled. Reconsideration of Claims 3-7 is respectfully requested.

Examiner-Initialed Information Disclosure Statements

Applicant respectfully requests that the three (3) Information Disclosure Statements filed December 17, 2003, April 4, 2004, and June 15, 2004, be initialed by the Examiner and included in the next Examiner's action issued indicating that the references have been considered and made of record.

The Rejection of Claims 3-7 Under 35 U.S.C. § 112, First Paragraph

Claims 3-6 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner is of the opinion that the phrase "prodrugs thereof" in independent Claims 3 and 5 is not described in the specification in such a way as to enable one skilled in the art to make the claimed invention. Claims 3 and 5 have been amended by deleting reference to the term "prodrug". Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claims 3-7 Under 35 U.S.C. § 112, First Paragraph

Claims 3-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner states that the phrase "A platinum compound, comprising" is improper. The Examiner states that the claims recite the specific structure of the compound claimed and therefore the word "comprising" opens the claim to other components that are not part of the structure presented in the body of the claim. Claim 3 relates to a platinum compound that

includes the recited chemical structure and Claim 5 relates to a platinum compound having the recited chemical structure.

Claims 3 and 5 are independent claims. Claim 4 depends from Claim 3, and Claims 6 and 7 depend from Claim 5. Claims 3 and 5 have been amended.

Claim 3 has been amended to recite "a platinum compound including a moiety having the formula" followed by the recited structure. Claim 5 has been amended to recite "a platinum compound having the formula" followed by the recited structure. In view of the amendments, applicant believes that Claims 3 and 5 are definite. Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claims 3 and 4 Under 35 U.S.C. § 112, First Paragraph

Claims 3 and 4 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner has objected to the term "compound" in Claim 4 with reference to the compound of Claim 3. Claim 3 has been amended. Applicant believes that the amendment to Claim 3 overcomes this rejection. Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claim 16 Under 35 U.S.C. § 112, First Paragraph

Claim 16 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and under 35 U.S.C. § 101, as being a method without a step. Claim 16 has been canceled. Withdrawal of this grounds for rejection is respectfully requested.

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Conclusion

In view of the above amendments and foregoing remarks, applicant believes that Claims 1-15 are in condition for allowance. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone applicant's attorney at 206.695.1755.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: December 23, 2004

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